

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

**MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.,**

Plaintiff,

v.

**ESTATE OF TIMOTHY BARLOW, LORI A.
BARLOW, THE COMMONWEALTH OF
MASSACHUSETTS, DEPT. OF REVENUE,
and UNITED STATES OF AMERICA,**

Defendant.

**Civil Action No.
05-40112-FDS**

NOTICE OF HEARING ON FEBRUARY 8, 2006

SAYLOR, J.

On February 8, 2006, this Court will hold a conference in the above-captioned proceeding to hear the parties on the proper distribution of surplus funds in the amount of \$155,119.83, stemming from the foreclosure and sale of real property formerly owned by Timothy and Lori Barlow.

The United States has made a claim to the fund in the amount of \$1,679.05, as of December 16, 2005, plus interest, which continues to accrue. Plaintiff Mortgage Electronic Registration Systems, Inc., has made a claim for its attorneys' fees and costs in bringing this matter in the approximate amount of \$5,200. The Commonwealth of Massachusetts has a statutory estate tax lien against the estate of Timothy Barlow, but does not have a current choate assessment against the funds. Accordingly, it appears *likely*, although not certain, that the remaining funds, in excess of \$148,000, will be available to be paid to Lori Barlow and/or to the

Estate of Timothy Barlow *if* Ms. Barlow will come forward and make a claim to the money.

Accordingly, the Court will hold a conference in this matter on February 8, 2006, at 11:45 a.m., in Courtroom 2, United States Courthouse, Donohue Federal Building, 595 Main Street, Worcester, Massachusetts.

So Ordered.

/s/ F. Dennis Saylor
F. Dennis Saylor IV
United States District Judge

Dated: **January 17, 2006**